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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Hideki Itaya, Jason Dominik Hool, Javier Urena, Fredrick Spears, Osamu Ohno and Kantaro Maruoka

SERIAL NUMBER: 09/849,857  
FILED: May 3, 2001

FOR: **DIAGNOSTIC INSTRUMENT WITH OVERLAPPING CAROUSELS**

PATENT

ART UNIT NO.: **To be determined**

EXAMINER: **To be determined**

ATTORNEY DOCKET NO.:  
**HITA1785**

San Jose, California  
July 18, 2001

I hereby certify that this Transmittal and those documents referred to as attached hereto are being deposited with the United States Postal Service on this date 7/19/01 in a First Class mail envelope addressed to Box Missing Parts, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231

MANTHA N. GRIFFIN  
Typed or printed name of person mailing paper or fee  
*Mantha N. Griffin*  
Signature of person mailing paper

## **TRANSMITTAL OF RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Box Missing Parts  
Asst. Commissioner of Patents & Trademarks  
Washington, D.C. 20231

To the Hon. Asst. Commissioner of Patents & Trademarks:

Responsive to the Notice to File Missing Parts and the Notice of Incomplete Reply, both mailed July 9, 2001, Applicants herein submit the following documents for review by the Commissioner of Patents and Trademarks:

- 1) Copy of Notice to File Missing Parts of Non-Provisional Application;
- 2) Copy of Notice of Incomplete Reply;

TRANSMITTAL OF RESPONSE TO NOTICE TO FILE MISSING PARTS  
ATTORNEY DOCKET NO.: HITA1785

July 18, 2001

- 3) Response to Notice to File Missing Parts of Non-Provisional Application;
- 4) Copy of fully-executed Combined Declaration and Power of Attorney filed May 15, 2001;
- 5) Copy of return postcard evidencing receipt by the PTO of the May 15, 2001, filing; and
- 6) Check in the amount of \$65.00 for oath or declaration surcharge as set forth in 37 CFR 1.27.

Fee Payment Being Made At This Time

XX Enclosed in the form of a check

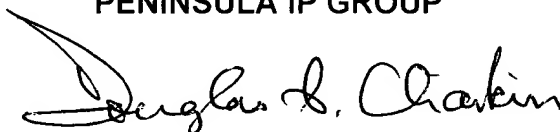
XX Oath/Declaration Surcharge \$ 65.00

Total Fees Enclosed \$ 65.00

For: "DIAGNOSTIC INSTRUMENT WITH OVERLAPPING CAROUSELS"

Respectfully submitted,

**PENINSULA IP GROUP**



**Douglas A. Chaikin, Esq.**

2290 North First Street, Suite 101  
San Jose, CA 95131  
Reg. No. 29,140  
(408) 965-4001

MAIL DATE CANCELLED  
O I P E  
JUL 23 2001  
PATENT & TRADEMARK OFFICE

JUL 23 2001  
PATENT & TRADEMARK OFFICE

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Hideki Itaya, Jason Dominik Hool, Javier Urena, Fredrick Spears, Osamu Ohno and Kantaro Maruoka

SERIAL NUMBER: 09/849,857  
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FOR: **DIAGNOSTIC INSTRUMENT WITH OVERLAPPING CAROUSELS**

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ART UNIT NO.: **To be determined**

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ATTORNEY DOCKET NO.:  
**HITA1785**

San Jose, California  
July 18, 2001

I hereby certify that this Response and those documents referred to as attached hereto are being deposited with the United States Postal Service on this date 7/19/01 in a First Class mail envelope addressed to Box Missing Parts, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231

MARTHA N. GRIFFIN  
Typed or printed name of person mailing paper or fee  
[Signature]  
Signature of person mailing paper

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Box Missing Parts  
Asst. Commissioner of Patents & Trademarks  
Washington, D.C. 20231

To the Hon. Asst. Commissioner of Patents & Trademarks:

Responsive to the Notice to File Missing Parts and the Notice of Incomplete

Reply, both mailed July 9, 2001, please enter the following response:

The signature of the inventor, Javiar Urena, was missing from the Combined Declaration and Power of Attorney filed on May 3, 2001. On May 15, 2001, a

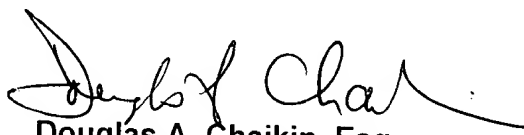
**July 18, 2001**

Combined Declaration and Power of Attorney bearing Mr. Urena's signature was filed in this application. On or about July 11, 2001, this office received from the PTO both the Notice to File Missing Parts of Nonprovisional Application and the Notice of Incomplete Reply, the date of mailing of both documents being July 9, 2001. The Notice to File Missing Parts indicates that the signature of Mr. Urena and an additional fee of \$65.00 are still required. The Notice of Incomplete Reply indicates that the May 15, 2001, filing had been received and the additional fee of \$65.00 is still required. As it is now unclear exactly what is required, we have enclosed the following documents for review by the Commissioner of Patents and Trademarks:

1. a copy of the fully-executed Combined Declaration and Power of Attorney filed on May 15, 2001;
2. a copy of the return postcard evidencing receipt by the PTO of the May 15, 2001, filing; and
3. our draft in the amount of \$65.00 for the additional required fee.

It is believed that all statements and questions regarding the missing parts in this case have now been satisfied.

Respectfully submitted  
**PENINSULA IP GROUP**

  
**Douglas A. Chaikin, Esq.**  
2290 North First Street, Suite 101  
San Jose, CA 95131  
Reg. No. 29,140  
(408) 965-4001



MAIL DATE CANCELLED

UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 23 2001

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/849,857	05/03/2001	Hideki Itaya	HITA1785

CONFIRMATION NO. 9838

## FORMALITIES LETTER



\*OC000000006264675\*

Douglas A. Chaikin, Esq.  
PENINSULA IP GROUP  
2290 North First Street, Suite 101  
San Jose, CA 95131

Date Mailed: 07/09/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Javier Urena*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

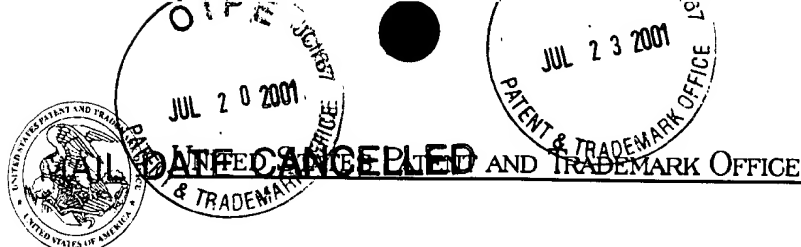
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/25/2001 JADD01 00000070 09849857

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/849,857	05/03/2001	Hideki Itaya	HITA1785

CONFIRMATION NO. 9838

FORMALITIES LETTER



\*OC000000006270175\*

Douglas A. Chaikin, Esq.  
PENINSULA IP GROUP  
2290 North First Street, Suite 101  
San Jose, CA 95131

Date Mailed: 07/09/2001

**NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 05/15/2001 to the Notice to File Missing Parts (Notice) mailed 07/06/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 was not received.
- **The balance due by applicant is \$ 65.**

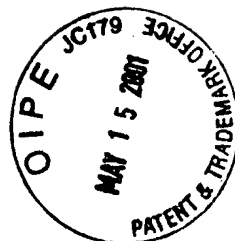
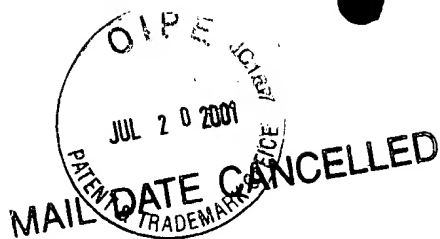
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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket N<sup>o</sup>: **HC-DI**  
**HTA-785**

The "Received" stamp of the United States Patent and Trademark Office imprinted hereon acknowledges the filing of:

**Description of paper(s):**

1. Comb. Declaration and Power of Attorney (included additional signature of inventor) ; and
2. This return postcard.

Title: "DIAGNOSTIC INSTRUMENT"

Registration N<sup>o</sup>: To be determined

Registration Date: To be determined

Attorney: Douglas A. Chalkin

MAILED ON: May 11, 2001